

UNITED STATES DEPARTMENT OF JUSTICE  
OFFICE OF THE UNITED STATES TRUSTEE  
KELLY BEAUDIN STAPLETON  
UNITED STATES TRUSTEE, REGION 3  
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UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

	:	Case No. 07-13262 (GMB)
In re:	:	Chapter 11
	:	
Richard J. Hess and Darlene Hess,	:	The Honorable Gloria M. Burns
	:	
Debtor(s).	:	Hearing Date: March 31, 2008 at 10:00 a.m.
	:	
	:	<b>ORAL ARGUMENT IS REQUESTED</b>
	:	

**NOTICE OF MOTION TO CONVERT OR, IN THE ALTERNATIVE, TO  
DISMISS, THE CASE PURSUANT TO 11 U.S.C. §1112 (b)**

**TO: ALL PERSONS ON ATTACHED CERTIFICATE OF SERVICE**

**PLEASE TAKE NOTICE** that the United States Trustee, by and through her counsel, shall move before the Honorable Gloria M. Burns, Judge of United States Bankruptcy Court for the District of New Jersey, on **March 31, 2008, at 10:00 a.m.** or as soon thereafter as counsel may be heard, at the U.S. Bankruptcy Court, Mitchell H. Cohen U.S. Courthouse, 400 Cooper Street, 4<sup>th</sup> Floor, Camden, New Jersey for an Order Converting the Case to Chapter 7 or, in the Alternative, Dismissing the Case Pursuant to 11 U.S.C. §1112 (b) and for such other and further relief as this Court deems just and appropriate.

**PLEASE TAKE FURTHER NOTICE** that the United States Trustee will rely upon the Memorandum of Law attached hereto at the hearing.

**PLEASE TAKE FURTHER NOTICE** that any papers in opposition to the Motion must be filed with the Court and served upon the United States Trustee no later than seven days in advance of the hearing date pursuant to District of New Jersey Local Bankruptcy Rule 9013-1(d). If opposing papers are not filed and served within the required time, the Motion shall be deemed uncontested pursuant to District of New Jersey Local Bankruptcy Rule 9013-1(a) and an Order Converting Chapter 11 Case to Chapter 7 Case , or in the Alternative, Dismissing the Case, may be signed and entered in the Court's discretion.

**PLEASE TAKE FURTHER NOTICE** that pursuant to District of New Jersey Local Bankruptcy Rule 9013-1(f) oral argument is requested.

KELLY BEAUDIN STAPLETON  
UNITED STATES TRUSTEE  
REGION 3

/s/ Jeffrey M. Sponder  
Jeffrey M. Sponder  
Trial Attorney

DATED: March 7, 2008